

LOUISIANA WILD LIFE AND FISHERIES COMMISSION

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P R O C E E D I N G S

SPECIAL BOARD MEETING

Monday, January 13, 1975

2:00 o'clock p.m.

HARVEY CLAY LUTTRELL, Chairman

Wild Life and Fisheries
Building
400 Royal Street
New Orleans, Louisiana

Kathryn G. Chamberlin,
Reporter



Helen R. Dietrich, inc.
Stenotypists

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P R O C E E D I N G S

. . . A special meeting of the Board of Louisiana Wild Life and Fisheries Commission was held on Monday, January 13, 1975, at 2:00 o'clock p.m., at the Wild Life and Fisheries Building, 400 Royal Street, New Orleans, Louisiana, Harvey Clay Luttrell, Chairman, presiding.

PRESENT WERE:

H. C. LUTTRELL, Chairman

D. G. BERRY, Vice Chairman

J. B. ANGELLE, Director

MARC DUPUY, JR., Member

J. G. JONES, Member

D. F. WILLE, Member

A G E N D A

1. Approval of minutes of September 24 and (3)
October 31, 1974.

MR. HARRY SCHAFER

2. Opening of two freshwater syphons in Plaque- (6)
mine Parish.

MR. ALLEN ENSMINGER

3. Consideration of request by Amoco Oil Company (13A)



relative to mineral leases on Rockefeller
Refuge. (* See note in addendum.)

MR. JOE HERRING

4. Timber sale on Russell Sage Wildlife Manage- (5)
ment Area.

MR. JOHN BARR, Oakridge, Louisiana.

5. Discussion of use of DDT. (33)

OTHER BUSINESS

6. Consideration of proposed budget for 1975-76 (72)
fiscal year.

ADDENDUM

Please see Page 106 for addendum to agenda.

CHAIRMAN LUTTRELL: I believe it is time
to start our meeting. I want to say welcome to
the visitors. We have with us this afternoon a
very fine person that I am always proud and happy
to introduce. We have Mrs. Cook. She is here to
keep Brother Cook and myself all straightened out.

Do we have any other visitors I should
recognize?

We would not have been late getting here,
gentlemen, but we had to make a review of our bud-
get and it took a little while to go over the



budget and be brought up to date on it, but we are here and ready to go. I see the first item on here is the approval of the minutes of September 24 and October 31, 1974. Do I hear a motion?

MR. JONES: I so move.

MR. BERRY: Second.

THE CHAIRMAN: So moved by Jerry Jones and seconded by Mr. Berry. Those in favor, say aye. Our Director has reminded me that we should call the roll since we have two absent. I should explain why they are absent. Mr. Lapeyre, I talked to him yesterday, has taken the flu that we have so much of around over the country, and Mr. Thompson is just getting over the flu, he and his entire family, so those two men are absent because of illness. Since we do not have a full crew, we will vote by name.

(Whereupon, a roll call vote was taken and the motion carried unanimously.)

Harry, are you ready? (No response)

All right, let's go to the next one, Mr. Ensminger.

Mr. Ensminger is not here. O. K., Joe Herring.



MR. JOE HERRING: Thank you, Mr. Chairman. We only have one item on the agenda, Mr. Chairman. That is for a timber sale contract on the Russell Sage Wildlife Management Area. We have received bids by the State Division of Administration for this wildlife improvement cut and it is similar to the one we had before on there, back in June. On this one we marked about 500 acres of timber, which was 27,920 trees and roughly 2,000 cords of wood on it. The only bid received was from the Monroe, Godfrey & Givens Timber Company in the amount of \$4,000. I would recommend that we accept this bid and so notify the State Division of Administration, because when our wildlife forester was marking the timber, he said anything over \$3,000 would be a good bid on it.

THE CHAIRMAN: I just want to say that I have looked at this and I am in full accord with Joe's statement on it and I would recommend that we accept it.

MR. BERRY: I so move.

MR. JONES: Second.

THE CHAIRMAN: It has been moved by Mr.



Berry, seconded by Mr. Jones. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

It is carried.

MR. HERRING: Thank you, Mr. Chairman.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, the Wildlife Forester
for the Game Division has marked 27,920
trees on 500 acres of land on Russell
Sage Wildlife Management Area, and

WHEREAS, this timber was marked
for making a wildlife improvement cut and
to sell the marked timber, and

WHEREAS, the State Division
of Administration received bids for this
sale and received one bid in the amount
of \$4,000, and

WHEREAS, trees to be cut con-
sist of rock elm, soft elm, ash, overcup



oak, hackberry, willow oak, bitter
pecan, locust and nuttall oak, and

WHEREAS, the Wildlife Forester
for the Game Division has reviewed the
bid and recommends that we accept it,

NOW THEREFORE BE IT RESOLVED
that the Louisiana Wild Life and Fish-
eries Commission advise the State
Division of Administration to accept
the \$4,000 bid from Monroe, Godfrey &
Givens Timber Company, Smith and Jewel
Streets, West Monroe, Louisiana.

THE CHAIRMAN: Now, is Harry here?

MR. HARRY SCHAFER: Mr. Chairman and
Members of the Board, we have a request and a
resolution from the Plaquemines Parish Commission
Council, requesting permit for the annual opening
of the freshwater introduction syphons at Pointe
a la Hache and the Bohemia Spillway. This is an
annual thing to introduce fresh water into these
oyster beds.

The Parish themselves will put up the
signs for the closed areas. The Health Department



requires these areas to be closed. The Parish will do the patrolling and all we need to do is issue a permit for them to open the syphons, and we usually go along by closing the area that is involved, along with the Health Department. That would be the east side of the River by the two syphons. I would so recommend.

MR. JONES: Harry, have we completed construction on all the syphons now?

MR. SCHAFER: No, sir.

MR. JONES: Which ones do we have under construction?

MR. SCHAFER: The Bayou Lamoque structure is the only one that we are working on and it is now out for bids. Public Works has advertised or are advertising for bids.

MR. JONES: That is the one Plaquemines Parish put up 300-some thousand dollars and we put up the remainder?

MR. SCHAFER: Yes. There is a million dollars available and I don't think we are going to be able to make it. When Public Works finished their drawings some 18 months ago, their estimate



was \$1.2 million then. We had to get permits from everybody and with all the red tape of permits and all, they are just now going out for bids.

MR. JONES: Are we going to have the same navigation problem we had last year? Remember the oyster people?

MR. SCHAFER: That is in a different area. That is not the Bayou Lamoque area. The Corps has some plans to work on those locks over there.

MR. JONES: I move we approve that.

MR. WILLE: Second.

THE CHAIRMAN: Moved by Mr. Jones, seconded by Mr. Wille. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

MR. SCHAFER: Thank you, Mr. Chairman.

(The full text of the resolution is here made a part of the record.)

WHEREAS, salt water intrusion in marshes that are oyster seed, waterfowl



and furbearer producing areas has resulted in increased snail predation with a reduced seed oyster production and decreased usage by other wildlife resources, and

WHEREAS, the Plaquemines Parish Commission Council has obligated itself to do the following:

1. To mark the affected areas to be closed with signs at least 24 square inches reading "No Oyster Fishing Until Notified. Area West Closed. Boat-Air Patrol, Syphons Running."
2. To obtain the consent for closure of the area from the affected oyster bottom lessees.
3. To maintain a boat and helicopter patrol to enforce the prohibition of no oyster fishing until the areas are



clear as determined by the
State Board of Health, and

WHEREAS, the Commission has
received a request from the Plaquemines
Parish Commission Council, dated January
8, 1975, to begin operating the Parish
Fresh Water Syphons at Lower Pointe a la
Hache, Bohemia Spillway and at White
Ditch, Belair, Louisiana, east of the
Mississippi River in Plaquemines Parish,
beginning as soon as feasibly possible,

NOW THEREFORE BE IT RESOLVED
that the Louisiana Wild Life and Fisher-
ies Commission, at the special public
meeting held on Monday, January 13, 1975,
does hereby temporarily close the oyster
fishing areas described as follows: all
of the area east of the river, beginning
at the intersection of the Mississippi
River and the line dividing Lots 7 and 8
of Township 18 South, Range 16 East;
thence extending from the said river to
the forty arpent line along the dividing



line of Lots 7 and 8; thence due north to the north shoreline of Long Bay; thence in a northwesterly direction along the north shoreline of Long Bay, including all of Long Bay and continuing on a line which divides Long Bay and American Bay from Bay Crabe to the southerly edge of Triple Pass; thence continuing along the east and northeast and north side of American Bay and along the north side of Battle Ground Bay to the north side of Big Four Bayou; thence along the north side of Big Four Bayou to the north side of Third Bay to the middle of Second Bay which is $89^{\circ}46'$ Longitude West; thence due south to the Mississippi River; thence downriver along the Mississippi River to the point of beginning; also, east of USC&GS Station "Cox"; thence east to Sunrise Point; thence south to Bayou Lamoque, proceeding along Bayou Lamoque to the river, all as shown on plat of the Louisiana Wild Life and



Fisheries Commission prepared by its Oyster Division, dated April 16, 1970, and copy of which is on file with said Commission and in the office of the Secretary of the Plaquemines Parish Commission Council. The State Board of Health will be requested to perform the necessary sampling after cessation of discharge to determine that these areas are clear for reopening, approximately fourteen (14) to twenty (20) days later. Said fresh water syphons are being opened during higher river states for the purpose of introducing fresh water into this oyster growing area until such time as the State Board of Health approves reopening these areas for oyster fishing, such action being contingent upon the Plaquemines Parish Commission Council meeting its responsibilities as included in this resolution.

BE IT FURTHER RESOLVED that



copies of this resolution be referred to the Plaquemines Parish Commission Council, the State Board of Health and the Louisiana Oyster Dealers and Growers Association.

THE CHAIRMAN: Mr. Allen Ensminger. Is he here? Can you take it for him?

MR. RICHARD YANCEY: Amoco Oil Company is asking the Mineral Board to advertise three 2,500-acre tracts on the Rockefeller Wildlife Refuge during their March sale. Amoco, if you will recall, obtained a seismograph permit on the Rockefeller Refuge, and when they bought that permit they also bought the authority that these tracts be advertised for bid.

We would recommend that we go ahead and concur in the Mineral Board advertising these three 2,500-acre tracts and that the same rules and regulations be used in connection with that as we did on the last mineral sale.

MR. JONES: What did those regulations provide?

MR. YANCEY: They provided that roads



would be used to develop.

MR. JONES: No dredging?

MR. YANCEY: That's right, except in existing waterways or lakes or canals on the Refuge, and you have some of those running through these lease areas. Of course, Amoco I am sure is fully aware that these are the rules and regulations that are going to be used, and these rules and regulations would be made a part of the advertisement for bids.

THE CHAIRMAN: I want to clear something. He said "no". As I remember that, it wasn't absolutely no, but it was no unless it was absolutely necessary, or did we rule out that?

MR. YANCEY: It is not completely ruled out. There is leeway there for the Commission and the Mineral Board Committees to get together in the event it became necessary. The rules and regulations would permit them to use the existing waterways and canals that run through these proposed lease areas.

THE CHAIRMAN: I just wanted to make that clear, Dick.



MR. YANCEY: These are the same rules and regulations that you all approved in the last two sales that were made.

THE CHAIRMAN: So the word "no" wouldn't be exactly correct.

MR. JONES: I have a question and I think it is a pretty important question. I have read in the newspaper, I think it is probably the State Treasurer's Office has taken the position that we are no longer going to have a conservation fund. I attribute it to the State Treasurer's Office because under the new Constitution they are supposed to get the money. If that is right, then it appears to me that we would no longer have a Rockefeller Trust Fund and we would no longer have a Marsh Island Trust Fund, because these are dedications of monies that were made by an Act of the legislature and if the new Constitution has the effect of undedicating the conservation fund, it certainly would have the same effect of undedicating the trust funds. I would sure be against putting any tract up for lease unless we have written assurance from the State Treasurer that our



trust funds for Rockefeller and Marsh Island are still in existence, because why should we go out here now and get a wad of money and then the money is going to go into the general funds of the state when the legislature has said we want that trust fund.

I would move that we approve the leases provided we obtain a written assurance from the State Treasurer that the Rockefeller and the Marsh Island Trust Funds are still valid and that it will be credited with the appropriate percent of the money from any royalties and bonuses from sales before we put them up for sale.

THE CHAIRMAN: I would concur in that.

MR. YANCEY: We can send a letter of inquiry to the State Treasurer and ask if this will be the case, and certainly it would probably be desirable that we do that.

MR. JONES: But if they say they can't give us that written assurance, then my motion will be that we do not put those tracts up for lease.

MR. YANCEY: All right. It is our under-



standing that neither the Rockefeller nor the Marsh Island revenues will be affected by the new wording in the Constitution. The wording in the Constitution apparently requires that all state-collected revenues go to the State Treasurer's Office, and this is what we are doing now. We have been doing this all along. When the State Treasurer gets this revenue from Rockefeller or from Marsh Island, then it puts this revenue into either the trust fund or the operating account for these two refuges and then we are appropriated out of that account back to the Commission money to operate these two areas in accordance with the deed of donation.

MR. JONES: But, Dick, we have got a little different situation because that is handling the revenues we are going to use during the current year. But if we are going to go build up a trust fund, when it gets to be \$5 million and the state happens to need some money five years from now, and they are going to go pick the money out, that is not what we intended in the setting up of the trust fund. I think we need some written



assurances before we build the fund up any more that the State Constitution has not changed that in any way. If they say it has, then I think we need to go to the legislature in May and get it straightened out, because that is not what was intended. Right, Peter?

MR. BERRY: Peter, do you have any input on this?

THE CHAIRMAN: Let's hear from Peter.

MR. DUPUY: Let me comment before Peter does. I believe that the Constitution does protect the Rockefeller and Marsh Island Trust Funds by specific language. I don't have it with me but I believe it does.

MR. JONES: The only thing it does, it mentions the Marsh Island fund with regard to the withholding of the ten percent royalty road funds from the parishes. They don't get it on Marsh Island. That is the only thing that was put in, and you will remember we had that put in there. But there is no specific language in the new Constitution that protects the Trust Funds.

MR. PETER DUFFY: I have had occasion



now to discuss the very problem that Mr. Jones raises with a number of lawyers, my fellow lawyer Mr. Martinez, and quite frankly I have reviewed the Constitution and the particular section or article that is involved here and also that part of the Constitution which deals with the transition legislation that is going to take effect.

I have rendered an opinion to the effect that I don't believe the article and certainly I don't believe the delegates intended that all conservation fund and trust funds be abolished. That is my opinion and that is the opinion of one lawyer. Now you go to the Attorney General's office and he renders an opinion as the official lawyer of the State of Louisiana and he may not agree with me, but he hasn't come out officially with any position that that is not so.

I feel that the legislators will have to address themselves specifically to that question, either in this next session or in the May session. I do feel that there is room for people to take a contrary opinion, although I don't think if you take the instrument as adopted and all of its parts



and you read them together, I don't believe that you can conclude that the trust funds and the various funds that have been prior to this time established by constitutional enactment have been abolished. In fact, there are specific parts of the old Constitution that are being carried over as legislative acts, which do provide for the education fund and several other funds. That type of action leads me to believe that it wasn't the intention of the drafters of the Constitution and certainly it is not the intention of the legislators to abolish funds that had been prior established either by the Constitution or by legislative act.

MR. JONES: I just want to be sure that Mrs. Parker agrees with you and me.

MR. DUFFY: That's right. That is a good question and I think it should be resolved, and it should be resolved in the very near future.

THE CHAIRMAN: I want to ask Dick. He may want to comment on this.

MR. YANCEY: I think we need his comment on this and the question is, where do we get this written assurance from? Do we get it from the



State Treasurer's Office or do we get it from the Attorney General's Office?

MR. JONES: I would rather get it from the State Treasurer's Office, because we face the situation of the Attorney General's Office giving an opinion one time that the State Treasurer would not abide by. I would just as soon get it right from her mouth. She is the one handling the money. Or get it from both of them.

THE CHAIRMAN: Now that is my question, Dick. Can we give approval for the placing of these tracts for lease with a provision of that type in there?

MR. YANCEY: I think we need to go ahead and determine what Jerry is talking about and then write the Mineral Board a letter in connection with this, but when Amoco paid for the seismograph permit they at the same time were granted the option of having these tracts nominated for mineral sale.

THE CHAIRMAN: That is what I understand. That is why I was asking my question.

MR. JONES: We can always reject the bids.

DIRECTOR ANGELLE: Jerry, don't you think



both Mrs. Parker and Mr. Billy Guste will be guided by the mandate of the legislature in this special session?

MR. JONES: I don't know what is coming up in the special session.

DIRECTOR ANGELLE: It is in the call.

MR. JONES: Is there something in this special session, new legislation, involving the Rockefeller Trust Fund or any of this?

DIRECTOR ANGELLE: In general, yes. In general it does.

MR. JONES: I want to be assured before -- you know, they took \$56 million out of that fund already -- before they take another dollar out of it. My motion is that I move that we approve the request to put the mineral leases up for sale but that prior to doing that we ask Mrs. Parker and Attorney General Guste for an opinion as to the present existence of the Rockefeller Trust Fund and the Marsh Island Trust Fund and receive assurances from Mrs. Parker that she is going to apply the appropriate percentages of income each year to those two funds.



MR. WILLE: Second.

THE CHAIRMAN: Gentlemen, I have a motion by Mr. Jones and a second by Mr. Wille. If there is no other discussion, those in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

(The full text of the resolution is here made a part of the record.)

WHEREAS, the Louisiana Wild Life and Fisheries Commission has been notified by the State Mineral Board that Amoco Production Company has requested advertisement of three 2,500-acre tracts of unleased acreage on Rockefeller Wildlife Refuge covered by Geophysical Permit No. 4417-P issued to Amoco, and

WHEREAS, these tracts could be developed utilizing rules and regulations as recently amended to provide for



maximum protection of the Refuge,

NOW, THEREFORE, BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby approve the State Mineral Board's advertisement of Tracts A, B and C in the March 12, 1975 lease sale to cover acreage on the Rockefeller Wildlife Refuge, and

BE IT FURTHER RESOLVED that rules and regulations to cover the mineral exploration of these tracts be included in the advertisement and subsequent leases, and

BE IT FURTHER RESOLVED that before final leases are awarded on the tracts that the Louisiana Wild Life and Fisheries Commission and the State Mineral Board be assured by the State Treasurer's Office that funds derived from this leasing be deposited in accordance with Act 321 of 1972, and

BE IT FURTHER RESOLVED that the Director is hereby authorized to



sign all documents pertaining to this matter.

MR. DUPUY: Mr. Chairman, along the same line, although it wasn't pertinent to that particular motion, you will recall several months ago we approved the putting up of other leases to the Mineral Board for approval on Rockefeller. On February 12, 1975, the Mineral Board will offer for lease a 571-acre tract which was put up by the Superior Oil Company, and I just wonder if the same financial situation applies to that as well as what we are proposing to do now.

THE CHAIRMAN: Do you want to put that in the form of a motion?

MR. DUPUY: Well, I don't think we can. It is not on the agenda and it is something that has been done several months ago, but really it is the same financial situation.

THE CHAIRMAN: Yes, we can do it.

MR. JONES: Mr. Chairman, I might suggest, we meet two weeks from today, and in the interim we could probably attempt to get this type of assurance, get the opinion from the Attorney General



and a letter from Mrs. Parker as to what views they are going to take on it, and that would give us time before February to take some action.

THE CHAIRMAN: You can bring it up because we have an item on the agenda that says "Other Business". Item 6 does not control all the other business, so if you want to include it --

MR. DUPUY: Well, let's just wait until the regular meeting and that will be time enough.

THE CHAIRMAN: All right. While we are on mineral leases, we have another one that has been hanging a long time that I am quite in favor of putting up for lease, and that is the request by Justice-Mears Oil Company, and you have been working on that. This is so vital. We have a tract of land up in the whambrake area that people all around the edge, within 30 feet, are taking gas out every day, that we should be gathering. Our towns and cities all over the State of Louisiana need gas, and I know that there is a small question there of just who owns what. I believe, and I am going to so move today, that we could put this up and then let those people who think that



they may have some part in it just go to court and prove it, and we would simply hold the lease money until such time as proven. It just might be that we own this.

I would recommend, and I brought it along with me, that the Justice-Mears Oil Company request for I believe it is four or five tracts of land be considered at this time. Is there any discussion?

MR. DUPUY: Yes. Mr. Chairman, we have retained the services of an attorney, Mr. Thomas Lee of Monroe, and I think we ought to hear from him with regard to the status of the title and his ideas on whether or not the State Mineral Board should or should not put it up for mineral lease at this moment, in the immediate future. I think we ought to hear from Mr. Lee before we take a step such as that. It may be that he is just on the verge of being able to render an opinion to us with regard to our title, and I really think we don't need to put it up right now. We can't, anyway; it is the Mineral Board's matter.

MR. JONES: Didn't the Division of Administration turn down his fee?



THE CHAIRMAN: That is my information, that they turned down the man's fee.

MR. DUPUY: Well, he is working on it; whether or not they have approved or disapproved, I don't know. I know he has the title information.

MR. JONES: Let's ask Burt. Burt, do we have Mr. Lee employed now to work on that title up there? They disapproved his employment, didn't they?

DIRECTOR ANGELLE: They approved the funds to employ someone, Mr. Lee or someone like him.

MR. JONES: Approved or disapproved?

DIRECTOR ANGELLE: Approved.

MR. JONES: I thought they turned down the \$10,000.

DIRECTOR ANGELLE: It was approved last Thursday.

THE CHAIRMAN: It was approved last Thursday?

DIRECTOR ANGELLE: Yes, sir.

THE CHAIRMAN: Is he working on it?

MR. DUPUY: That is my understanding.



Mr. Duffy may know something about it.

THE CHAIRMAN: Peter?

MR. DUFFY: Mr. Lee and I have talked and I have sent to him basically the information that I have been furnished relative to the title of the property, when it was acquired, and certain other documents, and he reviewed what I had sent him and of course quoted to me what he thought would be the only price that he could undertake the work for, and that was on an hourly basis. I passed that information on to Mr. Angelle and we have just been waiting I think for the approval by the Division of Administration. I am going to communicate back to him that on that hourly basis it is sufficient up to a certain point and after that, we will have to go back to the Division of Administration.

THE CHAIRMAN: While you are there, answer a question for me. Couldn't we put this up and leave the burden of proof of ownership onto the other people?

MR. DUFFY: I understood that we would possibly be taking a risk and affording anybody



that might be making claim to the minerals or part of the mineral interest that was not conveyed to us outright, might be resurrecting any rights that they might have as a mineral servitude, and until we are able to satisfy that question which requires the expertise of a mineral lawyer, I wouldn't recommend that we take any action until we are satisfied that the action we take would not in any way jeopardize not only the interest that we know has been conveyed to us but any other possible interest that might have accrued to us with the passage of time.

THE CHAIRMAN: All right. Can you give me an idea of how much time you are talking about?

MR. DUFFY: No, Mr. Chairman, I really can't. I could talk to Mr. Lee and see if he could in some way estimate the time that we are talking about.

THE CHAIRMAN: This has been going on for a long time.

MR. DUFFY: It has. It has been going on for a long time.

THE CHAIRMAN: And the Commission has been losing a tremendous amount of money over it.



MR. BERRY: Mr. Duffy, could you get on the phone now and call Mr. Lee to find out what kind of time we are talking about?

MR. DUFFY: I could make that point if I could reach him. I may or may not be able to reach him but I will try.

MR. BERRY: Would you go try him?

MR. DUFFY: Yes, sir.

MR. DUPUY: Just to make one comment, because I think we can pass on to other matters, but with regard to the title information, the Justice-Mears Oil Company is the applicant to the State Mineral Board for putting the tract up for lease, and Justice-Mears has made its title information available to Mr. Lee. I have spoken to Mr. Lee. He has secured the title information from Justice-Mears which will greatly expedite the time that it will take him to reach a conclusion, and I really would not be surprised that he would be on the verge of being able to give us that information titlewise right away. I don't think we are talking about a very long period of time.

THE CHAIRMAN: Well, I want to make this



comment and then I am willing to drop it until we can get some more information.

With the shortage of gas that we have in the State of Louisiana and the number of cities that are now trying to convert from gas to coal and other things, it just doesn't make sense for the Wild Life and Fisheries Commission, from a financial point of view or from just a good civic point of view, to have gas wells up there that are not producing and pouring gas into the intrastate line instead of going into the interstate line.

MR. BERRY: What worries me, Mr. Chairman, is this natural gas sitting there on our property that can very well have been sucked out from under us by the other people producing around us, and we are losing revenue every day from it. We are remiss in our duty if we don't do something about this pretty quick.

THE CHAIRMAN: I saw personally wells producing gas within 30 feet of our boundary line and we could be producing the gas and selling it and I don't want to delay this thing any longer, because I did request that it be worked on a good



while back.

MR. BERRY: Let's just wait until our little attorney gets back and we hear what he has to say.

THE CHAIRMAN: O. K., we will do that. Now I believe that brings us down to John Barr.

MR. ROBERT ODOM: Gentlemen, Mr. Barr is not here. His mother took ill last night. Dr. Roussel, Jim Monroe and myself -- I am Bob Odom with Louisiana State Department of Agriculture -- we are here to discuss with you the emergency application for DDT that will be submitted to the Environmental Protection Agency sometime here within the next three or four weeks.

Several months ago we were contacted by a cotton contact committee to be at a meeting in Monroe, Louisiana, and at that meeting with extension, university, Department of Agriculture, farmers, county agents, it was decided that we would go forward with a request or with preparing a request for emergency use of DDT for the 1975 growing season on cotton.

The ones of you that are from the cotton



growing areas know what the problems have been in the last two years. We feel that from the tobacco budworm and from not having DDT available that a great reduction in the yield of cotton has come about. We also realize that over the past two years we have had some weather problems but if you go back over a ten-year average which we have done in this report, you will see a substantial reduction in the yield of cotton.

So, a committee was established and this committee mostly was constituted with university, extension, farm bureau, Department of Agriculture, and has put together this plan of submission. At a meeting last Friday with the joint agriculture committee we presented this proposal to the joint agriculture committee and they unanimously adopted the plan to recommend to the Governor that he declare an emergency for the year 1975 in order for us to submit this application through amended FIFRA, which was passed by the President, signed by the President on October 21 of 1972. FIFRA requires that all of the pesticides now being labeled be labeled on a federal basis. It also



provides for an emergency exemption and that the governor of a state or a designated agency can make an emergency exemption on the use of a particular pesticide where there is a definite and established emergency.

We feel from the data that is gathered and we feel from the production of cotton in the 1973 and 1974 farming year clearly shows that this emergency has come about. We feel that without the use of DDT in relationship with methyl parathion and Toxophene that the cotton producing industry of our state will be in serious jeopardy next year if they have another year like the last two years.

What I would like to do is briefly discuss a few points and then call Dr. John Roussel up and let him go through this thing with you or we will both answer questions that you may have.

This program that we are offering is a very highly regulated program. We intend on regulating the amount of DDT to no more than five applications total. Of course, in the past we have had some seven or eight total applications, depending on the need of that particular farm or particular



area. The method that we have set up in this thing is very highly regulated and the farmers have agreed to accept this method. First, there is only one supplier, Montrose Chemical Company out of California. They will supply the active ingredients and then will come in and be formulated at a time when it is needed for use. This puts a real strain as far as the supply of material, but we want to be sure that the product is not mixed with other materials as a method of application, that it is only mixed at a time where there is need.

Then, in order for the farmer to be able to obtain the material, an infestation count, the amount of tobacco budworms actually present in the field, has to be substantiated by a professional checker, county agent, university or one of our people, or a trained licensed consultant. Once it has been established that he has an infestation that rates the amount of application, then that farmer has to go to the county, take that information and go to the county agent. The county agent will issue him a chit in order to purchase the material; then the dealers that will be handling



the material will be licensed and certified so that we know the amount and the volume that they have on hand, based on the amount that was shipped in by the company.

The material will be purchased and then will be taken to an applicator. If the farmer desires to employ it himself, we are initiating an educational program where we will certify the farmer. In 1976, by October 21, 1976, all of the farmers have to be certified that are going to be applying restricted pesticides in order to comply with FIFRA. We are going to initiate an emergency certification program and will require the farmers that desire to apply this material, if we receive permission on an emergency basis, to be certified this year in order to apply the DDT on their own property. The commercial applicator will go through a training program and also will be certified. We are restricting the use of the material from one-half mile from dairies or forage crops that are going into the dairy production. We are going to do some research on establishing the distance that we can restrict the material on pastures going into



beef production. We know that we have got some residue problems and we have got plans laid that we think will be adequate in handling any problems that we may come up with.

We are going into a monitoring program. We are going to pre-monitor and establish base lines. We have done some monitoring already. We feel that the amount of monitoring that we have done that we are well down within the tolerances of the residues that gives us a good level of action to begin a season of emergency use of DDT. We know that we are well down within the set tolerances that had been established some years ago when the material was being used. We know that we are not going to get near the amount of the material in the environment that we have in the past because of the amounts again that we are talking about.

So, you will see that this program is going to be a well regulated program. It will have quite a bit of research which Dr. Roussel will get into here and will cover other aspects. He will cover the part that the university has come up with as this being the only adequate control of a



material that we feel can control the tobacco budworm. I think I would like to stop here and let Dr. Roussel come on and then after he finishes, if there is something else I need to cover, I will cover it and then both of us would answer any questions. Dr. Roussel.

DR. JOHN S. ROUSSEL: Thank you, Bob. Ladies and gentlemen, it is with a great deal of soul-searching that we are appearing today. It is not a pleasure to have to ask for a material that we know has given us some problems in the past. We know that any time we add a persistent pesticide in the environment that we can have problems, but when we look at the picture of cotton production during the past two years, I think that we have, if we are going to perform our duty, an obligation to tell our producers that the only material they have available that will control the tobacco budworm is the material that was banned by EPA.

Gentlemen, if you will turn to the initial letter of this, by following down this letter I think I can cover all that is in the pamphlet which you have.



We have a number of pests on cotton. Most of the pests we have can be controlled with the phosphate compounds we are using at the present time. Unfortunately, the tobacco budworm, which has been a pest periodically over the years and has been handled with the Toxaphene-DDT-methyl parathion, has become resistant to these phosphates to the extent that they are not being controlled with the phosphates. The tobacco budworm itself was never effectively controlled with the phosphate compounds.

The yield for the past two years since DDT was banned has averaged 111 pounds less than the previous ten-year average of lint per acre. The Crop Reporting Service estimates the 1974 crop as 449 pounds of lint per acre, which is the lowest, and I don't believe it will reach this 449 -- the latest estimate actually drops it below this, although they did not get a per-acre basis -- I don't believe that this will be reached, and this is the lowest production of cotton in this state since 1958.

Now some of you may say that we did have adverse weather conditions, and I will agree that



we had adverse weather conditions this past season, but it is inconceivable to me that during the previous ten years that we did not have conditions comparable to that which we had in either one of the past two years, and any one of the previous ten years was above the highest we have produced during the past two years. So, although weather conditions may have played a role, they certainly should not have played a greater role than they did the previous ten years prior to the last two.

I have mentioned that this species has been a sporadic pest of the state. The only material that has controlled it effectively over the years was Toxaphene-DDT-methyl parathion mixture and, of course, it is not commercially available any longer. We know this. We have used alternatives for other pests including Toxaphene-methyl. During this past year, unfortunately, against our recommendation, a great deal of Endrin was moved into the state. We do not believe that Endrin has been of any value to us in the past year. We know that you have had a great deal of trouble with Endrin, and we do not wish to see it in the state.



We feel that Endrin is a far worse culprit than DDT will ever be.

We know that the tobacco budworm has developed some level of resistance to the material that I am speaking of, Toxaphene-DDT. This was recognized as early as 1966, but we have effectively controlled the pest until it was banned with this combination of materials, although it may not have been as effective as it was initially.

We have recognized a great deal of adverse effect from persistent compounds in the past. We have conducted monitoring programs and at the present time we are quite concerned about the effect that Endrin applications this past year has on the soybean crop in the state, because as you know soybeans will extract out of the soil and concentrate in the seed the Endrin compound.

We have conducted extensive research for control of this pest over the years. No material has ever come up to this Toxaphene-DDT mixture until this past year. We have in our research recognized two compounds, new compounds that are being developed, one an organophosphate compound,



the other a synthetic pyrethroid, that are effective against this pest, but again unfortunately there is no way that we can get this material available until it is cleared by EPA and we see at least '76 for the earliest of either one of the two. In addition to these two that we have worked with, Shell Company has had under its investigation and we have examined some of their plots, two additional pyrethroid compounds. We believe that either of these four materials would satisfy our need if we could get these materials, but we do not see any one of them available until '76, and it is likely that the Bayer organophosphate compound will be the first compound available. The pyrethroid is a new compound and we still have to do the two years animal studies on the pyrethroids before they will become available.

This proposal asks for essentially a prescription entomology. We have no assurance that this will be a pest in the cotton field this year. If it is not, we have no intent of using it. As I said, the other pests can be controlled with the organophosphate compound, and if we do not get this



species in the field, we do not intend to have it used. It is going to be prescription entomology in that the producer will have to prove that he has this pest. Now EPA has in the past allowed blanket use provided that adequate trained personnel have found an adequate amount of the pest scattered over the area, but we intend to have the producer come to the county agent and ask for a slip authorizing him to buy the amount of DDT for that one application for his acreage. We would prefer to see EPA grant this for the first three applications, because we have never been able to control either the tobacco budworm or the regular boll worm with less than three applications if it is a pest. However, this is entirely up to EPA as to how they are going to handle it.

We want to know who gets the material and what he does with it. We do not want material stockpiled in the state. It will be formulated in a DDT concentrate only so that if it is not used it can be sold in the foreign market, and whether you realize it or not, there are probably still 300 million pounds of DDT being used in the foreign



world at the present time, considerably more than we ever used in this country.

We are asking for this for a maximum of five applications to be used during the period of mid-August through mid-September. This is generally the time, and it may vary a few days one way or the other, but generally the time that this species is a pest. Normally three to five applications will control the organism, as in the past. It is a stopgap request because we hope these others will come in. We feel like they are compounds that will not present anywhere near as severe a problem in the environment as the chlorinated hydrocarbons do, and the request can only be made on a year-to-year basis of EPA. They will approve emergency use only on a year-to-year basis.

We hope that the regulations involved in here will protect the environment to the maximum extent. You should realize that this is five applications and not the large number of applications that has been made in the past. It is going to be controlled application. It will be made only if that particular species is a pest and every



effort will be made to protect the waterways. We will have an educational program designed to influence the producers to plant soybeans between his pastures to protect the livestock, to plant soybeans between his cotton crop and the waterways, so that the minimum amount of material will move into the waterways.

We realize that there have been problems with fisheries and some with birds with DDT in the past, but when you consider the loss that has occurred and the value to the state, we are speaking of somewhere from \$50 to \$70 million per year, the reduction in yield that has occurred since DDT was banned. Even at the low price of cotton this year, if you will turn to Page 15, which actually gives the yield reduction and the yield for the previous ten years prior to '73, Page 16 has an estimated value of loss, direct loss, and at 40 cents per pound, that is equal to roughly \$37 million, and we realize that cotton is awful cheap this year, but nevertheless it still amounts to \$37 million. Plus, if you take the indirect loss to the industry, the oil mills, the ginning, the



increased cost of production that is involved when your yield is decreased per pound of lint, we are speaking of another \$18 million. This is at a low cost.

We have discussed this. We have made no effort to do this blindly, without informing other segments, other people of this state. We have discussed this with other agencies. We have asked for their input into it. We know that there is no need in attempting to cover anything up when we go to EPA because their people know what the problems are. We would like your input into it. We have received input from the Louisiana Health Agency and in essence they state that they normally would oppose the use of persistent pesticide in the environment but under the conditions and under the following restrictions, they will not object. These restrictions are restrictions that we have in this proposal to include the use of DDT strictly limited to five applications; that DDT will replace Endrin in its use, and there is no question in my mind or anyone's mind that it will because producers can get control of the tobacco budworm with the



DDT whereas they cannot with Endrin; that provision will be made for safe disposal of the pesticide containers, provision made to protect dairies; that the timing of application will permit the harvesting of most forage for dairies particularly prior to the time of the beginning and, of course, since these applications will not be made until approximately mid-August, dairymen will have adequate time to bring in their grains and forage crops. Provision will be made for monitoring the environment as well as the crops to detect any problem area that may develop, and that the applicators be licensed as required by the present FIFRA under which we will now be operating. This is signed by Dr. Bruce, director of this particular segment on the Health Agency.

THE CHAIRMAN: Are you asking that we do the same thing the Health Department did and give you a statement of no objection?

DR. ROUSSEL: We are asking you for your input. If you wish to discuss the disadvantages, fine. We hope that you will go along with the proposal but it is your decision to make, sir.



THE CHAIRMAN: That is what I gathered.
Do you have some more statements?

MR. JONES: I have a question I would like to ask. I just want to understand your figures on Page 15. You are not attempting to say that the drop in yield is attributed to the fact that you don't have DDT, didn't have it in '73 and '74, are you?

DR. ROUSSEL: It is attributed to the fact that we do not have anything to control the pest.

MR. JONES: Because I notice if we take the ten years before that, from '63 to '73, when you had DDT, you came down in your yield 119 pounds per acre.

DR. ROUSSEL: 576, sir.

MR. JONES: You came from 628 to 509 --

DR. ROUSSEL: Yes, that is right.

MR. JONES: -- which is 119 pounds.

DR. ROUSSEL: It did fluctuate. Fluctuation is not unusual.

MR. JONES: Let me finish making my point that whereas, when you had DDT, you only



dropped 28 pounds. '72 was the last year you had it.

DR. ROUSSEL: Yes.

MR. JONES: All right. In '73 the difference in your yield in those two years was only 28 pounds.

DR. ROUSSEL: That's right, between those two years, yes.

MR. JONES: So you are not trying to say that the cotton farmers in Louisiana, the yield is directly related to the elimination of DDT, because as I look at your figures you dropped in a period of ten years 119 pounds when you had DDT and then when you didn't have it, you didn't drop but 28 pounds.

DR. ROUSSEL: Well, we have had a range, if you note, from 1963; we have fluctuation every year due to the weather. There is no question that weather is a factor involved in production, but the long-term average, and our production practices have not changed, we should have over the years an average comparable to what we have in the previous ten years. Now we will have some



fluctuation from any particular year, true enough.

MR. JONES: But your loss was more when you had DDT than when you didn't have it.

DR. ROUSSEL: Oh, no, because we had DDT back in '63.

MR. JONES: But yet your yield in that period dropped 119 pounds, and when you didn't have DDT it didn't drop but 28 pounds. The reason I am saying that, I am not trying to be critical, I want the sportsmen of the state to really know that we have a responsibility involving fish and wildlife, and I don't want anybody in the state to say, "Well, you are taking a position that you are keeping the cotton farmers from making money," you know. There are other factors and I think these figures show that there must be other significant factors other than DDT which contribute to the constant decrease in the yield of the cotton farmer.

DR. ROUSSEL: This is right, but if you go back to '71, then you have dropped almost 100 pounds from '71 to '73, so it varies from year to year, and this average is what we are speaking of,



not any one year. Admittedly, the yield may not have been as much as 111 pounds this year, because we did have some unfavorable weather.

MR. ODOM: Let me make a comment on this, too. One of our responsibilities is estimating cotton loss when we have chemical damage, and the courts of our state have accepted an average as a base line. If you go back on a ten-year average, this establishes the yield for that total period and then it is comparable to that yield that the production should come up to. So, going back on what the courts have established in this state, this would establish the fact that DDT would be the prime factor in that loss because they have also taken into consideration the weather factor. The weather factor is taken into consideration with the average. When you go back on an average basis, you take in the weather, the fertilizer situation, the cotton production as far as the growing season is concerned, too.

MR. JONES: What I am trying to say is, though, from '71 to '72, you had DDT.

MR. ODOM: Yes, yes.



MR. JONES: And you dropped more in production that year than you did between '72 and '73 where you didn't have DDT, see.

MR. ODOM: That is right.

MR. JONES: I don't want the sportsmen to get the idea that you people are telling us, "Well, if you don't let us use DDT, you are the ones responsible for the cotton farmers losing money," and that is not the truth.

DR. ROUSSEL: No, this is not correct. We may end up with '75, for example, without a tobacco budworm outbreak, and if we haven't, then you would have -- it depends on the population of the pest, that particular pest. That is what is involved. If it is there, it is going to greatly reduce the yield; if it is not there, it is not going to have an effect.

THE CHAIRMAN: I would like to make this statement, Jerry. Since our prime purpose is to manage wildlife and fish and we know the effect that DDT has on these things, I don't believe really the Commission can give a statement of no objection, but we can authorize our biologists to



submit the facts concerning DDT that they have in their possession to you and you may use them or someone higher than we could use them, but I don't believe that the Commission --

DR. ROUSSEL: That is your prerogative.

THE CHAIRMAN: I don't believe that as a Commission we could. Now personally I may be in favor and may believe what you are saying so far as cotton is concerned, but whenever I consider wildlife and fish, I may have to take a different point of view. So, I don't believe, and this is just one man's opinion, that this Commission could give you a statement of no objection, but I would like to see our biologists furnish you with any information they may have that might help you. That is all I wanted to say but I wanted to explain why I feel like that.

MR. WILLE: Mr. Chairman, I am in complete agreement with you on this and I think that the Commission should take a stand that we are in the wildlife business and in the business to protect wildlife. We know from past studies that DDT has been detrimental in doing much damage to our



wildlife, our waters and our fish.

We are appointed to this Commission primarily to protect the wildlife as conservationists within the state, and I don't feel like the Commission could make any -- I could not in good conscience as a member of this Commission make a statement of no objection to the use of DDT, and I have some very good friends of mine, I am from north Louisiana and I am in the cotton farm country, and I know that I am going to get criticized royally for saying this, but as a Commission member I could not. I am in complete agreement with the Chairman that I think our biologists could furnish you with all the information that we have as far as what it has done, as far as being detrimental to wildlife within the state that we can tie it down.

But, as far as making a statement of no objection, I as an individual could not.

MR. DUPUY: Dr. Roussel, I believe that you have well stated our position on Page 9 of your own report, Paragraph 2, in which you recognize that despite the precautions that you outline



that there will be in fact a substantial widespread contamination of the environment as a result of the undesirable residues of this chemical. Regardless of what can be done to protect, there will be some detrimental effect.

DR. ROUSSEL: There is no question that any time you use any chemical in the environment, any chemical, whether we use it or whether you use it, that there are some effects on the environment. There is no question about this, regardless of the type of chemical you use.

MR. DUPUY: We want to help the farmer in any way possible, and Lord knows that the farmers do need help, the cotton farmers, but we surely don't want the cure to be worse than the illness itself.

DR. ROUSSEL: Well, when we look at the fact that we have used DDT for 25 years unrestricted, we do not believe that the limited amount that is going to be added to the environment during this stopgap is going to be so serious as to destroy our environment. This is the viewpoint that we have taken. Plus the fact that we are speaking of



substantial loss to the producers when this organism is a pest. If it is not a pest, then it is not a problem.

THE CHAIRMAN: Dr. Roussel, I just want to say one thing. Mr. Dupuy is a farmer and I am a farmer.

MR. ODOM: There is one other thing that I would like to bring up. During the 25 or so years that we used DDT, there has never been a recorded death from the use of DDT.

MR. JONES: Death of what?

MR. ODOM: A human being. There has never been a recorded death of a human being from DDT.

MR. WILLE: How about wildlife?

MR. ODOM: There has never been, as I know, a recorded death except in the bird species --

MR. WILLE: No fish?

MR. ODOM: O. K., let's back off from fish and the bird species, but in the animal species itself.

MR. JONES: There is a picture right up there of one of them we lost. Let's see the data



on that one.

MR. ODOM: That data is left to be controversial. Then there are two other things I would like to make into the record. Number One is that we have had some 14 resolutions for different police juries making the request that we pursue the use of DDT. Another thing I think that is important is that we publicized the joint legislative committee hearing for some ten days in Baton Rouge, which was held Friday. We did not have one person to appear in opposition, not one person to appear in opposition to the proposal.

One other point that I think should be made and which Dr. Roussel made, you are talking of DDT. You may be substituting a product that will be used or could be used by the farmer that is a lot less hazard to the wildlife than a product that is now being used. We fully realize that you can't support a document of this type being in the position that you are in. We realize that. The Health took a similar stand with this. The thing that you may want to consider is that due to the materials that would have to be used if DDT is



not approved, that due to the program that we have outlined with the regulatory aspect, that you believe that this is the best program in order to control the cotton insect if it occurs for the next year than the program that we had this year in which we know from a material caused much more environmental problems than what DDT will cause.

That is all we have.

THE CHAIRMAN: I would like to say this. I don't want you to misunderstand. I am not proposing that we oppose you. I simply said that we could not say no objection.

If these people are finished, we have someone we need to call on.

DIRECTOR ANGELLE: Yes, Kenneth Smith, Chief of our Fish Division.

MR. KENNETH SMITH: Gentlemen of the Commission, ladies and gentlemen, on December 20 I attended a meeting in Baton Rouge which Mr. Odom referred to here, at which the possible future approval of DDT was discussed. It was my understanding that they would ask this Commission for their comments on the effect of DDT on wildlife.



I have attempted to review the literature both in Louisiana and elsewhere and I have attempted to provide example of damage to demonstrate that damage occurs with DDT. There is no attempt to determine whether this is more or less toxic than other pesticides but we have attempted to confine our comments to DDT alone. I would like to give you some highlights of the material we have turned up on this subject.

We find that there is documented evidence that DDT and its metabolites -- this is a word which you will see sometimes which means that it breaks down into other compounds through natural actions once it is applied -- it is one of the chlorinated hydrocarbons. It is very persistent in the environment and has been detected in high concentrations in fish, birds and mammals. Now actual damage has occurred in the form of direct mortality, reproductive failure and behavioral changes. We find that it is acutely toxic to fish, shrimp, crabs, less toxic to birds and mammals as you go up the animal kingdom. It does occur but direct losses in mammals cannot be directly attrib-



utable to DDT.

One thing that does happen, unfortunately, is that DDT applied on land areas does find its way into the rivers and lakes and on down into the coastal areas.

Now some examples of damage to the wildlife environment. It is very toxic to shrimp. We find very small parts of it will kill the brown and white shrimp. We find that it is toxic to fish. Now if you review the literature, there will be differences or ranges of mortality that you will find in bioassays. It affects some fish populations differently, depending on the turbidity, the Ph of the water, but it is toxic to fish. Some examples, say on bluegills, we find that the bioassay reports, it is fatal to bluegills. It will kill half the bluegills at 96 hours when exposed from 7 to 16 parts per billion. These are the bioassay reports that we have turned up. This comes from the American Fisheries Society publication.

We find in Louisiana that there is every evidence that DDT causes thinning of egg shells and we have a report on this from Ted Joanen, who studied



the pelican. We find other literature indicates that this happens to seagulls, woodcock and various raptors. That is the hawks and owls and so forth.

There is indication that, from Mr. Robert Rudd who has a book, "Pesticides of the Living Landscapes," half the reptiles and amphibians are killed where DDT is used at the rate of one pound per acre. I don't have that publication with me but this is a direct quote from it.

We turned up also in the American Fisheries Society that the rate of toxicity to crawfish, half the crawfish were killed -- this is the red crawfish down in the swamp -- at .6 part per million over a 24-hour period. Now crawfish do enjoy a higher tolerance of this material than do other crustaceans such as marine organisms.

Mammals and birds seem to develop a tolerance to this material over a period of time.

Now another factor I would like to point out is that high DDT residues were found in fish in lakes in Mississippi and as a result the Mississippi Game and Fish Commission closed Mossy and



Wolf Lakes. Now this was an action of the Commission and they warned the public against eating excessive amounts of fishes from these lakes.

Now we don't argue one way or the other what effect this had on people, but the point that we would simply like to make here is that these have exceeded the standards set by EPA. This adversely affected the marketability of these fish and there was a direct economic loss incurred.

There is another example in New Brunswick, in Canada, where the woodcock season was closed back in about '71 and '72 due to concentration of DDT in muscle tissue. We can't say this was damaging to people but this simply occurred and this was a loss in recreation.

Now these are the highlights of this report. No position is recommended. We have simply attempted to document the fact that DDT is harmful to wildlife in specific instances where it has occurred. That is about the size of it.

THE CHAIRMAN: Any questions?

MR. JONES: Mr. Chairman, I am ready to make a motion.



DR. ROUSSEL: May I have one comment?

THE CHAIRMAN: We have one other man.

DR. ROUSSEL: I have read every one of these publications that Mr. Smith has mentioned. True, this does happen, and I am not debating that. I do want to point out, though, that we had 25 years of unrestricted use of DDT in this state, that we are speaking of a maximum two million pounds of DDT, and there were probably 50 million pounds of DDT used in this state each year for the previous 25 years.

There is no question but that this happens. I have read every one of these publications. But we have had fish, we have had shrimp, we have had everyone of these organisms during this 25-year period.

THE CHAIRMAN: We have Bob LaFleur, I believe, who has done work on this also. Bob.

MR. ROBERT LAFLEUR: Gentlemen, I guess if there is anybody in this state that has been more exposed to some of the environmental damages caused by the chlorinated pesticides than me --

THE CHAIRMAN: You might identify your-



self and tell us who you work for.

MR. LAFLEUR: Oh, I wasn't sure. Bob LaFleur, Chief of the Division of Water Pollution and Control, also Secretary to the Stream Control Commission.

I have the dubious distinction of having asked the Federal Water Pollution Control Administration for technical assistance when in 1964 we were having fish dying in the Mississippi River and we demonstrated our inability over a period of three years to determine what the cause of the mortality was. It was essentially determined and the finger was pointed at Endrin, and if you listened to the concentrations of DDT, let me throw one at you that will raise your hair. We were talking about Endrin that was used last year which just about has cleaned out Lake Bartholomew and the fish that are left there I would prefer not to eat. Endrin is toxic to fish at .05 of a part per billion.

Now I noted with some concern that if DDT is not permitted for use in the coming application season for control of tobacco budworm in



cotton that Endrin may be. I don't know that I want to stay in this state if Endrin is used in the cotton growing area again during the coming season, because it about drove us up the wall this past year. Some of the largest fish kills I have had the misfortune of reading about, of analyzing and doing resumes of studies on occurred in Lake Bartholomew this past year.

We certainly recognize and I should like to add that in 1959, if any of you will remember, Rachel Carson in her "Silent Spring" involved or implicated DDT and it has almost caused the demise of the cranberry industry in the state of Massachusetts. Of course, it took from about that time until 1972 before EPA decided to ban DDT.

I recognize we have some tradeoffs here, gentlemen, and I certainly don't want to be quoted as having gone on record in preparing a statement for the Stream Control Commission's consideration in the very near future, as going on record as endorsing, supporting the use of DDT. By no stretch of the imagination can any environmentally oriented agency take such a position, but I certainly



recognize that we have some tradeoffs here. Again, I hope we will not use Endrin in the coming year for several reasons.

First, it did not destroy the target pest and, secondly, the adverse side effects that Endrin had were far worse than anything I can imagine and I have been exposed to DDT since the late 50's; beginning about 1958 was when we were first introduced to it in the cane growing area, and it caused some fish kills in that cane growing area the like of which very few people are aware of even today.

For your information, I have met on two occasions in my office with the vice president and some of the higher-ups in the echelons of administrations with the people who are manufacturing Endrin and who are marketing that stuff, who want to market it and did market it last year and want to market it in the coming year. On one other occasion I have met with these same people in the company of the agriculturally oriented industry in the state and we have indicated to the representatives of that firm that if they in fact plan to



market DDT in this state in the coming year, they are in for a real damned good donnybrook. I think there is a public hearing coming up on that in the very near future. I don't know what the date is but I think it is, what, the 31st of January you are talking about?

Yes, Endrin instead of DDT. We do not want to see Endrin in this state for any reason in the coming year, and it may well be used unless we can prohibit it.

By the way, you heard earlier today the agricultural people, both the State Department of Agriculture and the University, LSU, pleaded with EPA not to label Endrin for use last year, and it was labeled anyway.

MR. JONES: Why?

MR. LAFLEUR: Apparently the socio-economic pressures that were there, Mr. Jones, brought that about or permitted it to exist.

MR. ODOM: EPA issues a federal label on it but the state has to issue a state label, and as Bob stated we have scheduled a hearing on Endrin as of January 31 and our law only gives us



the authority to cancel on efficacy and efficacy alone. Now in order to comply with FIFRA, we are going to have to change the law to be able to cancel on environmental reasons as well as efficacy. A committee has been appointed; the letter is going out today to appoint a new committee to review the label for Endrin for another year, but it is both jointly federal and state. The federal issue the federal label and the state has authority to issue the state label.

THE CHAIRMAN: Gentlemen, it is getting late and some of us have a long way to go back home. I don't want to cut off any debate or any questions on this, but I don't want us to rehash what we have already said, either. Do any of the Board members have anything else to say? If not, I am ready to entertain a motion.

MR. JONES: If nobody else has anything to say, I move that the statement that was prepared by Mr. Kenneth Smith, and I think he briefly went over it, that that statement be adopted by this Commission as its position on the request made to it regarding the proposed use of DDT.



THE CHAIRMAN: You have heard the motion.
Do I have a second?

MR. DUPUY: Second.

THE CHAIRMAN: Seconded by Mr. Dupuy.
Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

We have some unfinished business. We have some unfinished business. We have a report requested by Mr. Berry concerning whambrake. Where is Mr. Berry?

MR. DUFFY: I spoke with Mr. Berry and explained that Mr. Lee was not in his office and was not expected until tomorrow morning, so I cannot speak with him until tomorrow. I explained to his secretary and I understand she will have him call me tomorrow and let me know what his timing will be.

MR. JONES: Why don't we put it on the agenda for the next meeting then, with the hope that we will have some answer from Mr. Lee.



THE CHAIRMAN: All right, I will hold it over until the next meeting.

Now, for you members of the Board who are present, there is one other thing I would like to discuss under other business. I had occasion to dig up some information that wasn't available immediately so I went back and dug out the old annual report and found in it so much valuable information, and I know that this Commission took the stand that we wouldn't ask for this report. But, gentlemen, that annual report carries the entire program of the biologists and our people for the entire year and I would like for you to consider the possibility of re-establishing that thing some way or somehow, and it won't be brought up today. I am just putting you on notice to think about it for the next Commission meeting. Re-establishing the biennial report. When I had to dig through there I got all the information I needed pretty quickly and it was quite valuable information, so I am just putting the Commission on notice that I will bring it up next time and also the whambrake thing.

Thank you. Now if that is all, we are



down to the last part of the business and we will call on Mr. Angelle.

DIRECTOR ANGELLE: Thank you, Mr. Chairman and Members of the Commission. The fiscal staff along with the division chiefs, assistant directors and myself have prepared a budget for the ensuing fiscal year. Many long hours have been placed in the development of the budget for hopefully the proper operation of Louisiana Wild Life and Fisheries for the '75-'76 fiscal year.

With us today is Mr. Larry Cook, our fiscal officer, who will present the budget to the Commission for your consideration, hopefully for your approval, because we do have a deadline to meet of January 15, which is Wednesday, so after today's approval it all has to be typed in and then provided to the Division of Administration by Wednesday, January 15. Also with Larry are the division chiefs who probably will want to comment on the highlights of their division, where most of their money will be spent, some of their expanded programs and then if you have any particular questions, hopefully we together can answer them.



Larry, would you proceed?

MR. LARRY COOK: Yes. We have prepared an operating budget for next fiscal year in the amount of \$16,261,000. Our comparable operating budget that we are operating under this current fiscal year totals \$14,731,000, so we are looking at an increased budget of approximately \$1.530 million. This increase will help us to maintain our current level of operating expenses with some individual increase in the various divisions. We will get into each individual division in a short time.

We have built into our current year budgets some items that are non-recurring items. This will tend, when I give a comparison of a net difference in the budget, the non-recurring charges that are in the current year's budget will help to throw this figure off. There are three locations in our budget where this happens. When this comes about, I will come in and identify the decreases in the current year's budget to match against next year's requests.

MR. JONES: Do you have any income, the



money the Governor is supposed to give us back for having operated the watchdog on the Causeway?

MR. COOK: No, sir, I do not.

MR. JONES: Where are we going to get that money?

MR. COOK: How are we going to get it or when?

MR. JONES: Yes.

MR. COOK: We are, let's say, contemplating asking for approximately \$200,000, I think that is our latest estimate on that figure, to provide the necessary funds to complete this year on the operation of that Causeway patrol.

MR. JONES: Do you have money in the present budget for operation of the Causeway patrol next year?

MR. COOK: Yes.

THE CHAIRMAN: You included it in this year's budget --

MR. COOK: No, wait, wait. I do have, let's say, some money. I do not have a full complement. I am under the impression that we are to make up an additional, what we would call a BA-7



Form, to increase our current year's budget and also next year's budget to supply sufficient personnel and equipment to take care of this operation.

MR. JONES: Do you anticipate in the budget, though, that we are going to be operating the Causeway patrol during the next fiscal year?

MR. COOK: Some of the charges for that are in next year's budget, not all of the charges.

THE CHAIRMAN: Larry, if we budget money for this operation, aren't we accepting the job of patrolling this --

MR. COOK: There is a possibility --

THE CHAIRMAN: -- without actually having gone before the Commission and passing a resolution?

MR. COOK: There is a possibility that could be construed that if we request funds for next fiscal year to carry out this operation that this means that we will do it, we have the funds provided to us. There is a very little --

DIRECTOR ANGELLE: Larry, I think you have misled members of the Commission when you say



you have money budgeted for the operation of the Causeway Commission patrol. That is not so. There is no money budgeted for it per se. There is money available for expenditure in those lines when necessary.

MR. COOK: Right.

THE CHAIRMAN: I just didn't want us to back into something without knowing what we were backing into. I am not opposing any of this but I wanted us to really understand what we were doing. I don't want to back into acceptance of something that really has not been accepted by the Board yet or approved, so I couldn't see where we could budget money to pay for an expenditure or for a program that has not been approved by the Commission because, unless it has been changed radically, as I read it, all programs have to be approved or set up by the Commission and have to be supervised by the Commission. So, if it is not budgeted for that expressly per se, then of course we are not in any problem, we don't have any problem. I just wanted to clear it up. Go ahead.

MR. JONES: Let me ask Burt, do we



anticipate still operating the patrol after the May session of the legislature, or do you know?

DIRECTOR ANGELLE: I don't anticipate the patrolling of the Causeway any more than maybe another sixty to ninety days. Hopefully, maybe the legislature will take it under consideration at the April session. This is what I am hoping, that we can be relieved of that duty about that time.

MR. JONES: Good enough.

THE CHAIRMAN: I think that Burt could go a little further than that. He could say that when we prepare all of the detail of doing this that someone will receive it and if it happens to be the Wild Life and Fisheries Commission at that time, we will be funded for it.

DIRECTOR ANGELLE: I have on my desk now that we are going to the Budget Committee and ask them to provide us money, some head count increase so we can hire some people to do the job specifically until the time comes that we are relieved of that responsibility and that we can return the people that we are now using for patrolling to



their regular tour of employment.

MR. WILLE: I know we are back on this Causeway patrol thing again. I have just got one question on this thing. If we took the budget that we have already expended on this thing, and I know that it was an emergency budget and I know that you acted in good faith by the order of the Governor to enforce the safety of the Causeway out there supposedly; we took the responsibility when in reality we really have no control of what happens on that Causeway -- if we presented this in a budgetary form, the money that we have spent on this thing, to the legislature, and they realize how much money we have spent on this thing, don't you think that they might be more inclined to approve a lighting system or a warning system on that thing which would cost a lot less money?

DIRECTOR ANGELLE: That information is being provided to the Causeway Commission engineers --

THE CHAIRMAN: Let me interrupt; let me interrupt. Gentlemen, we have before us a question of the budget and we can't discuss a Causeway problem and a Causeway --



MR. WILLE: That is what we were talking about, the Causeway, the money we are spending on it.

THE CHAIRMAN: I know, but we were talking about the budget. I don't believe we can discuss possible regulations or rules or methods or something of the Causeway, so let's stick to the budget.

MR. COOK: Gentlemen, I will give a run-down by Division, and I think each Division Chief will come in and explain his new or expanded programs. In the Administrative Division we show a decrease in our request of \$40,000. This is brought on, basically we have built in in our current year's budget approximately \$190,000 of non-recurring charges, which is in the form of utilities and telephone charges that this year are being charged to Administration. Next year's budget reflects this in the various Divisions. Therefore, with the reduction of \$190,000, and that reduction being reduced in our request down to a minus-\$40,000, this would show an increase of approximately \$150,000. This \$150,000 increase in



Administrative budget is basically \$100,000 for the hunter safety program and an additional \$50,000 for increased costs in materials, supplies, and to fund an expanded program with the repairs that the Marine Section carries on out at the wharf.

The next division is the Fiscal Division. We are asking for a \$61,000 increase. Basically again that includes increases in costs of materials, supplies and operating services and also to provide us additional personnel in our Revenue Section for our outside revenue auditors. These are the individuals that go out and audit the shrimp and the oyster individuals.

DIRECTOR ANGELLE: Would you inform the Commission, I believe it is three positions we are asking?

MR. COOK: Three positions, yes, sir.

The Water Pollution Control Division is requesting a \$282,000 increase. Their increase is basically in three areas. Bob, yes, please.

MR. ROBERT LAFLEUR: Gentlemen, the new or expanded programs. First, the new ones. The first new one I have is the compliance monitoring



of the industrial waste discharges, this to ascertain compliance with the NPDS or federal water pollution control permits under Public Law 92500, where I am being asked at this time to carry on some monitoring, as much as 24 and in some cases 72-hour continuous monitoring for composite sampling and later analysis of these waste discharges. There are at this time some 68 industries that I am being asked to monitor.

Secondly, and cooperatively with the Fisheries Division, we are inaugurating a pesticide and heavy metal monitoring of the state streams. This is in addition to our current water quality monitoring program which we have had underway and which we have been expanding since 1958. It is, as I have indicated, a cooperative operation with the Fisheries Department where, as I understand it, or at least at this time, the Fisheries people will be doing most of the sampling; all of the chemical analysis and the laboratory will be carried in the Water Pollution Control Division laboratories. This involves the expenditure of some rather expensive equipment.



I just finished buying one \$28,000 unit, the others being planned.

The third one, and this is an expanded thing, as I indicated earlier, an increase in the number of water quality monitoring sampling stations throughout the state. This is over and above the some 78 sampling stations which we have had up until this past year. They will number in the order and magnitude of some 300 where, once each month at these designated sampling points, we collect water samples and record some 14 water quality parameters.

I might also add that I am being asked by EPA, and for a price, to help them, and in compliance with Section 402 of Public Law 92500 to draft some 77 federal permits. These permits are being drafted by my permanent staff and then being sent to the Environmental Protection Agency's regional office in Dallas and those permits are being checked over and later issued to the various industries involved.

Eventually we will, I think, and properly should be asked over to take over this federal



permitting system. I have since Public Law 92500 became law in October of 1972 tried to get the federal permitting system and for some very good reasons. They are as follows: First, the industry in this state would much rather do business with a state agency. Secondly, I think our state agency people, our permit staff, are far more familiar with the situation right at their back door than are the people in Dallas who are some several hundred miles away. The other reason being that since 1953 Louisiana's Water Pollution Control Agency, the Stream Control Commission, has operated on a permit system and so, as the situation now stands, an industry seeking to discharge waste to a public water body in this state must do business with two bunches of bureaucratic dead-heads; Number One, the federal establishment out of Washington or through its regional office in Dallas and, secondly, of course, Baton Rouge, and it seems rather ridiculous and I find it somewhat repugnant that they should have to go through two governmental agencies in order to get right with the law.



I have no further comments.

DIRECTOR ANGELLE: Bob, for the benefit of the press, don't you think you should qualify these statements on bureaucratic deadheads at Baton Rouge? (Laughter)

MR. LAFLEUR: I don't mind being called a bureaucrat or a deadhead, Mr. Angelle. I have been called a lot worse, so almost that is a commendation!

DIRECTOR ANGELLE: You are referring to yourself then?

MR. LAFLEUR: Collectively. (Laughter)

MR. COOK: The Enforcement Division has requested an additional \$186,000. Mike.

MR. MICHAEL HOGAN: Gentlemen, that increase deals primarily with the second phase of a three-year program to put all enforcement agents in state-owned vehicles. This year, through the Director's efforts, with a BA-7 transfer, we were able to get enough money to buy 30 pickup trucks or 30 vehicles without tradein. We have 30 more in this budget and hopefully by the third year we will have enough vehicles then to put everybody in



state-owned vehicles.

The other increase is in six new positions we are asking for to pick up some slack in some parishes where we have only one and, in a couple of cases, where we only have two agents in a parish, in order that we can give 24-hour coverage. We have an increase in major repairs to our marine equipment and that big charge there is for a couple of new diesel engines for the boat WIDGEON.

There are a few minor acquisitions to our equipment, such as two new airboats. As you know, up until last year, the Enforcement Division didn't have any airboats and airboats are coming into their own in the marshlands of the state now and it takes one to chase one, so we are asking for two there.

Basically, that is where the \$186,000 increase comes in.

MR. BERRY: With the good fast ones you still haven't done anything.

MR. HOGAN: These are going to be fast.

THE CHAIRMAN: I tell you for certain, you had better get at least a 230. I commented on



that the other day.

DIRECTOR ANGELLE: Mike, would you inform the Commission that with the approval of this budget request that this will put all of our Enforcement agents with a two-way radio and then hopefully within less than a year from now we will have them all in state vehicles, that they will not be restricted to 12- or 1300 miles a month operation..

MR. HOGAN: That is correct. If we can get the money for these 30 vehicles this year, let's say we have got 30 on order now for which the Director got some money for us, if we get the 30 for this year and next year another 30 will put all of our agents in state vehicles. Actually, it will be a little bit of saving to the state because now we are paying them 16 cents a mile and, as you gentlemen know, a man is not going to put his personal vehicle, and most of the time his personal vehicle is not equipped to go in some places that we need to go, so therefore this will be a savings and a better tool to work with.

MR. COOK: The Fur Division has a request



for \$16,000 worth of additional funds. Approximately \$10,000 of this \$16,000 is largely the cooperative research program on the nutria conducted by LSU in Baton Rouge. It would also include the increase for supplies and operating services.

DIRECTOR ANGELLE: Ted, in addition to this will be a Biologist I position instead of the biological aide position that you requested added to this. It would have been in this budget. However, when I asked Larry to put it in, he had already prepared all his budget and it would be just a waste of time to put it in there because he was running short of time. I have discussed it with Roger Magendie, our budget analyst, and we have agreed it will be inserted as soon as it reaches Baton Rouge. This will be not only the Biologist I position but the equipment that goes with it for the man to do a good job working under you, Ted.

MR. JONES: Ted, how many biologists have you got now?

MR. TED O'NEIL: Just one biologist.



DIRECTOR ANGELLE: Besides yourself.

MR. JONES: Let me say something.

MR. O'NEIL: I would like to propose a field man and a biologist to stay out of the office a little bit.

MR. JONES: You know, I have been here many a year -- and let me apologize for that, too -- but I look at the Fish Division, and I am not talking about anybody else's division, and I have had my crosses with Ted, but you know the fur industry in this state is very important and it has gotten to where this year the catch is just nothing; I am not saying if he had five biologists the catch would be up, but it is time Louisiana does something. You know Ted is whiteheaded, he is getting old, and he has got a lot of knowledge, but you know it is time we get some people in the Fur Division or else we can just forget about the fur industry. We have got all these biologists in all these other divisions, and every year Ted winds up with one.

MR. O'NEIL: Jerry, I thank you for that and especially that getting old part.



MR. BERRY: I will tell you one thing, that is a lot better than dying young! (Laughter)

MR. O'NEIL: Greg Lestrem is really overworked and --

MR. JONES: Well, Burt said he was going to get you another one so we had better not talk any more. We ought to stop now.

MR. WILLE: That's a promise.

THE CHAIRMAN: A promise we can hold him to.

MR. O'NEIL: Well, maybe I don't need to explain any --

MR. JONES: I don't believe you had better say any more. He said he was going to get us one. I really wouldn't.

DIRECTOR ANGELLE: He has to learn to quit when he is ahead!

MR. COOK: The Fish Division is requesting a net of \$55,000 increase. Now this is one of the locations where actually that \$55,000 increase is covered up and actually it amounts to a \$205,000 increase, largely because he has \$150,000 in his budget this year to build ponds at his fish



hatcheries. Kenneth, do you want to speak on the new programs that you are conducting?

MR. DUPUY: He has to overcome the last statement.

MR. KENNETH SMITH: Well, I thank you for letting me keep the biologists I have got, gentlemen. I had intended to say something about a capital-outlay program but I understand from Larry we are not supposed to talk about that, but in case we did get some capital money, we would like to expand the Monroe fish hatchery. We are doing a fair job at Beechwood now, to get into additional fish production, striped bass and what have you, but we have a very big need at Monroe. This is where most of our stripers are coming from.

In addition, we would like to build some more boat ramps around the state. These things always cost money. We would like to spend some money repairing the ones we have.

With this budget, we could add another fish sampling crew. We have many lakes around the state which are in somewhat bad condition as far as fishing success, population and so on and so



forth, and it is difficult to write a management program without knowing what kind of fish you have got and how many in the lake. We would like to add another crew. This is about five more people. We have one crew statewide now, and it is difficult to get around to all of the 30-some odd lakes that we try to.

We badly need some current census data. We recently made a meeting in Lake Charles on Calcasieu Lake where it was stressed that there was a critical need to know the harvest, both commercial and sportfishing. This is one of the many areas in the state that we do need badly to come up with some answers on.

We would propose to expand the hyacinth program. I don't have to explain that one, if any of you have been looking around the country lately. We have just got our fingers crossed that we will get about a three-day freeze this year. We may have to go to aerial application to cover some of the marsh areas that have become a real problem to us.

DIRECTOR ANGELLE: Kenneth, that is in



the budget this year. This is in the budget request, what you are talking about.

MR. SMITH: Yes, sir.

DIRECTOR ANGELLE: You are not talking about capital outlay?

MR. SMITH: No, sir. This is current. This is expanded services.

THE CHAIRMAN: You know, Kenneth, we are in favor of your program right now. Don't explain this too much or we might change our mind.

MR. SMITH: O. K. Well, I should have told you when I broke off capital proposals and this is expanded services that we are talking about in our current budget, that are proposed in this budget now. It also involves additional work on the striped bass, the grass carp which we have expanded, and of course we have got increased costs due to just rises in prices of everything. This is basically it.

THE CHAIRMAN: Thank you. Larry.

MR. COOK: The Refuge Division is requesting a \$403,000 increase. Allen.

MR. ALLEN ENSMINGER: Gentlemen, as you



all are probably aware, the Refuge Division operates under three different budget units. We have a budget unit that covers Rockefeller, one that covers Marsh Island, and then we operate the remainder of our Refuge Division properties under the Conservation Fund budget.

The Division manages 300,000 acres of coastal marshland. We have numerous amounts of marine equipment in the Division as well as marsh buggies and drag lines and marsh buggy drag lines. Our increase in our budget request represents primarily in the field of replacing some of this old equipment. We have got drag lines that were purchased back in the early 1950's. We have got some marsh buggy drag lines that were purchased in the early 1960's at prices of \$18,000 to \$20,000, and today an amphibious drag line costs us over \$75,000. Our area of increase is primarily in these areas of equipment. We have plugged into the Rockefeller budget an increase request of about \$100,000 for educational material which is within the deed of donation under which we received Rockefeller, and in this thing we hope to also bring up the "Wild-



life in Review" film, an old film which was produced by the Department back in the early 1950's. We would like to see it updated and put in our film lending library.

This represents primarily the increases of the Refuge Division.

MR. COOK: The Game Division nets out to a \$15,000 increase. Again, the Game Division does have items in the current year's budget that will not be repeated, somewhere in the neighborhood of \$2-\$250,000, and this is largely due to that OEP money that we received this year for roads, for the disaster -- what was it?, -- the high water back a year or so ago. Actually, we are looking at an increase of somewhere in the neighborhood of \$220,000. Joe.

MR. JOE HERRING: Everybody else came out so good without saying anything, I will sit down, too.

MR. BERRY: We will give you three words!

MR. HERRING: Three words? O. K. To continue and improve the facilities we have on our wildlife management areas we have now and also



other areas open for the public.

THE CHAIRMAN: Thank you, that's fine. You are going to get what you want, because you really pleaded.

MR. COOK: Our next budget unit I think Kenneth covered when he was up here for game. It is a section of the Game Division, Act 545, which is hyacinth control. They are requesting a \$57,000 increase and this is largely for two additional crews and the additional cost of the 2-4-D, which has grown from about \$2.50 a gallon to about \$7.50 a gallon at the present time.

Our next division or our next section is the Seismic Section that we are budgeting. This division previously was not budgeted but under the new Constitution, all funds spent have to be appropriated. This current year's estimated cost of this section is approximately \$179,000 and the request for next year is \$215,000, making a net increase of \$36,000. This is a contingent increase based on the operation of the seismic companies, whether or not or how many crews they do put in the field. We do have a contingency in here. If



they do put more than the current level, we will be able to handle it.

Now one division that I did pass over, and pardon me, I think I checked it off by mistake, is the Oyster Division, which is experiencing a \$456,000 increase. Let me correct that, \$403,000 increase.

MR. HARRY SCHAFFER: Most of our increase is going in replacement of equipment that we have now. About 80 percent of our acquisitions will be replacement items. Other increases will be off-shore shrimp research and other fish research. We had planned to cooperate with the National Marine Fisheries Service in this increased research on shrimp population dynamics out there and it looks like we are going to have to do most of it.

We also need an increase in personnel at our seed reservations. We have three facilities out there and with the new 40-hour working conditions we just can't keep the men out there without giving them time off, compensatory time, and that puts us short, and therefore we are being lax in our enforcement of these areas. We need at least



one man at each one of these facilities.

Survey applications for leases need to be beefed up a little bit. We are still taking up to 12 months, up to a 12-month average, in order to get the leases back to the oyster fishermen after they put in their application for a lease. We have updated all of our equipment and we still can't get this down to less time than the 12 months we are taking now, and we think that another crew out there possibly might solve this problem.

MR. BERRY: How long has this 12-month delay been going on with oyster fishermen, to get a permit?

MR. SCHAFER: We have gotten it down from 24 months.

MR. BERRY: If they happen to call you a bunch of bureaucrats, don't be embarrassed about it. It will probably be true.

MR. SCHAFER: We realize it. We have done everything we possibly could under the conditions to get it less than that.

MR. BERRY: We need to get it down a lot less than that. A man might forget about what he



wants to do next year.

MR. SCHAFER: Well, they do have the use of it. They do use it. Once they put the application in, they do start using it, but they don't have the legal right to it.

MR. BERRY: Don't say that; these lawyers will jump you!

THE CHAIRMAN: With these attorneys on the Board and you make that statement!

MR. SCHAFER: And the last program we would like to see expanded is the commercial netting. We are having a difficult time between the sportsmen and the commercial fishermen on netting in the estuarine area and we do need some information to come up with recommendations on this program.

MR. BERRY: I would like to see you work at trying to get us legal before you try to catch the folks who aren't legal.

MR. SCHAFER: We are trying it.

MR. COOK: On the divisions that we have discussed so far, this amounts to our requested increase of \$1,530,000. This brings our total request to \$16,261,000 in operating funds.



DIRECTOR ANGELLE: Which is about a 10 percent increase over last year, Larry, basically?

MR. COOK: Roughly. Roughly about 10 percent.

DIRECTOR ANGELLE: Roughly about a 10 percent overall increase in operations and maintenance.

MR. JONES: I move we approve it.

THE CHAIRMAN: It has been moved by Mr. Jones that we approve it. Do I have a second?

MR. DUPUY: I will second it, but before we vote on it, I would like to hear one short comment from Kenneth Smith. Kenneth, can I ask you a question, please, if you will. Just very short. A short one. If the United States Fish and Wildlife Service were to give us the Natchitoches fish hatchery, could you put something into your budget to utilize it?

MR. SMITH: Yes. I don't have anything there. We have gotten rumors that they may continue, they probably will continue the operations themselves. We have put out feelers along that line. We feel like we are safe for another year,



but I think if they do abandon it, it would certainly be in the state's behalf if we could take over the operation of that facility.

MR. DUPUY: Then particularly, do we need anything as a contingency in the event that it becomes available? Could you utilize and begin to use the hatchery if it were, say, disclaimed to us within the year?

MR. YANCEY: I would like to say one thing. We need to do everything we can to get the Fish and Wildlife Service to continue to finance the operation of that hatchery up there. They would already have discontinued it had we not worked in this direction.

MR. DUPUY: Correct, but we don't want to see it shut down completely.

MR. YANCEY: It is at their expense and the state, the people in the state, are getting the benefit of the fish produced in that hatchery. It is a federal expense. Of course, if we take it over, then it would be a conservation fund expense.

MR. DUPUY: Well, we don't want to take it over. I am simply saying that if it is shut



down, rather than lose the use of it, let's do something about it.

MR. YANCEY: We should do everything we can to get them to keep that fish hatchery producing. In some other states where they have tried to close down hatcheries, there has been a big uproar about it and they have continued to operate the hatcheries at federal expense.

THE CHAIRMAN: Dick, I carried this problem you are talking about all the way through Congress and carried it to the Governor. You are talking about \$19,000 and that is all we are talking about, and we do have just exactly what you are talking about, and I am still fighting. I must have 20 letters from influential people in the state of Louisiana; in Rapides Parish, in Natchitoches Parish and all over, school people, legislators and everyone, to the Federal Wildlife and Fisheries Commission on exactly what you are talking about. I think we do have a very good chance of them re-establishing that program.

MR. YANCEY: Well, just continue with the existing program. They have got a good program.



THE CHAIRMAN: Yes, but they closed down the fish hatchery.

MR. SMITH: No, no, the aquarium is what they closed down.

THE CHAIRMAN: You are right. The aquarium is what I am talking about.

O. K. It has been moved by Mr. Jones and seconded by Mr. Dupuy that we accept the budget. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

Now we have one other request for a very short statement by Mr. Allen Ensminger.

MR. ENSMINGER: Gentlemen, there is one thing that has come up since the agenda was printed. We have received notice from the Department of Public Works that work under Contract 6498 between the Commission and F. Miller & Son at Rockefeller Refuge has been completed. This was a contract for the repairs to our east end water control structure which was negotiated in April of 1973.



The contractor completed all the work except for some hydraulic parts in the ram to close the structure. He has got those in and installed them and the work is completed and they have recommended that we accept it and I would like to request that you all adopt a resolution accepting this work.

MR. BERRY: I so move.

MR. JONES: Second.

THE CHAIRMAN: It has been moved by Mr. Berry, seconded by Mr. Jones. All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Those opposed, no.

(No response)

So ordered.

(The full text of the resolution is here made a part of the record.)

WHEREAS, we have been notified by the Department of Public Works that work called for under Contract No. 6498 dated April 12, 1973 between F. Miller & Son, Inc. and the Louisiana Wild Life and



Fisheries Commission has been completed,
and

WHEREAS, this work has been
inspected by a representative of the
Department of Public Works and recom-
mended by that department as being
completed,

NOW THEREFORE BE IT RESOLVED
by the Louisiana Wild Life and Fish-
eries Commission that the work done by
F. Miller & Son, Inc., under Contract
No. 6498 is hereby accepted.

BE IT FURTHER RESOLVED that
the Director is hereby authorized to
sign and file an acceptance certificate
with the Recorder of Mortgage in Cameron
Parish.

THE CHAIRMAN: We stand adjourned,
gentlemen.

DIRECTOR ANGELLE: No, no, no, no. Hold
on. Do you want to know about your capital outlay
program?

THE CHAIRMAN: Oh, yes. We rescind the



adjournment. Go ahead.

DIRECTOR ANGELLE: Depending on the results of this special legislative session as it deals with funds, we anticipate a \$5 to \$6 million surplus that can be used for a capital outlay program. In the past we have been given an additional 30 days from January 15 to submit a capital outlay program. This year, being the legislature will go into session in April, they have asked us to provide it to us at the same time as our regular budget, which is Wednesday.

We are late getting it together. However, just in passing I would like to bring this to your attention that it is our intention to provide a budget by Wednesday dealing with the \$5 to \$6 million, and basically where most of the money will be is in land acquisition purposes, in providing new district offices in Alexandria and Minden and Ferriday, dealing with probably expansion of our boat ramp program and also the repairs of those. Just generally speaking, the expansion of our present facilities on our game management areas and our fish hatchery program, anywhere there is



a need that we have started on and haven't been able to complete it because of lack of money.

I would like the Board to authorize me to submit a budget more or less along those lines for Wednesday evening.

THE CHAIRMAN: Unless I hear an objection, the Chair orders that that be accepted.

If there are no other comments, we stand adjourned, gentlemen. Thank you.

. . .Thereupon, at 4:45 o'clock
p.m., Monday, January 13, 1975,
the special meeting of the Board
was adjourned. . . .

Kathryn G. Chamberlin,
Reporter.



A D D E N D U M

At the time of the Board meeting, the following items not on the printed agenda were discussed:

* Item 3 included discussion relative to (15)

status of Conservation Fund and

Trust Funds under the new Constitution.

Discussion of request for leasing of (26;
70)

Justice-Mears (whambrake) area

Discussion of re-establishment of annual
report. (71)

Acceptance of work under Contract 6498

at Rockefeller Refuge (101)

Capital Outlay Program (104)



